

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
NATHANIEL WILLIAMS

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

The City of New York

**AMENDED
COMPLAINT**

under the Civil Rights Act,
42 U.S.C. § 1983

Jury Trial: ☒ Yes ☐ No
(check one)

16 Civ. 1677 (PC)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ OCT - 3 2016 ★

BROOKLYN OFFICE

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's Name Nathaniel Williams
ID# 15-A-0214
Current Institution Franklin Correctional Facility
Address 62 Bare Hill Road, P.O. Box 10
Malone, NY 12953

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name The City of New York Shield # _____
Where Currently Employed _____
Address The Office of the Corporate Counsel
100 Church Street, New York, N.Y. 10007

Defendant No. 2 Name _____ Shield # _____
Where Currently Employed _____
Address _____

Defendant No. 3 Name _____ Shield # _____
Where Currently Employed _____
Address _____

Who did
what?

Defendant No. 4 Name _____ Shield # _____
Where Currently Employed _____
Address _____

Defendant No. 5 Name _____ Shield # _____
Where Currently Employed _____
Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

N/A

B. Where in the institution did the events giving rise to your claim(s) occur?

N/A

C. What date and approximate time did the events giving rise to your claim(s) occur?

December 4, 2012 through May 6, 2013

D. Facts: On December 4, 2012, plaintiff was arrested by
members of the N.Y.P.D and detained on felony charges related
to a Grand Larceny in the Fourth Degree, P.L. 155.30 and Criminal
Possession of Stolen Property in the Fourth Degree, P.L. 165.45 under

What
happened
to you?

Kings County Docket No. 2012KN096599.

Upon arraignment on December 10, 2012, the Kings County District Attorney Office initiated and continued this criminal proceeding against plaintiff without probable cause and with actual malice by holding plaintiff in lieu of \$15,000 cash/\$15,000 bond bail status.

On April 3, 2013, plaintiff's criminal case proceeded to Jury Part 1, where the prosecution moved for a Denaway, Mapp and Wade hearing, which got postponed for a second call on April 8, 2013 in trial part 4, due to a lost of alleged stolen bags, identifications notice withdrawal and 3 other persons arrested around the same time as plaintiff.

Was anyone else involved?

On May 3, 2013, plaintiff's attorney advanced a motion for exculpatory evidence consisting of video, DNA or fingerprint analysis and/or witnesses, which the prosecution refused to produce.

On May 6, 2013, Judge Green dismissed case against plaintiff, terminating the proceeding in plaintiff's favor.

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Plaintiff suffers with permanent pain and emotional disorder due to this malicious prosecution

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ___ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

N/A

1. Which claim(s) in this complaint did you grieve?

N/A

2. What was the result, if any?

N/A

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

N/A

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

N/A

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

N/A

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

I respectfully request a jury trial to determine the monetary compensation. Due to the mental anguish and depression of the malicious prosecution, plaintiff seeks \$2,000,000 in compensatory damages and \$1,000,000 for wrongful incarceration and humiliations.

On
these
claims

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ___ No ☒

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____
Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ___ No ___
If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ___ No ☒

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____
Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ____ No ____
If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 29 day of September, 2016.

Signature of Plaintiff

Nathaniel Williams

Inmate Number

15-A-0214

Institution Address

Franklin Correctional Facility
62 Bare Hill Road, P.O. Box 10
Malone, NY 12953

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 29 day of September, 2016, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the ~~Southern~~ District of New York.
Eastern


Signature of Plaintiff:

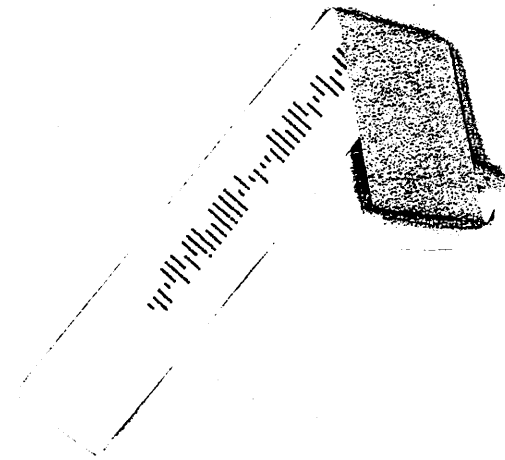
Nathaniel Williams

DISS: 15-A-0214
FRANKLIN CORRECTIONAL FACILITY
P.O. BOX 10, 62 BARE HILL ROAD
MALONE, NEW YORK 12953

FRANKLIN

CORRECTIONAL FACILITY

neopo
09/30/
USP




Honorable Lois Bloom.
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201